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ARIZONA CORPORATION COMMISSION

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December 15, 2003

Ms. Stacey Gerard
Associate Administrator for Pipeline Safety
U.S. Department of Transportation
400 7th Street SW, Room 7128
Washington, D.C.

Dear Stacey:

I am writing to request that the Office of Pipeline Safety permit the state of Arizona, either through the Corporation Commission or some other avenue, to pay for an independent metallurgical testing of the Kinder Morgan pipeline that burst in July near Tucson.

Recently, reports have referenced the only test known to have been conducted on the Kinder Morgan pipeline as being "independent". In fact, to my knowledge, no truly independent test has been conducted on the pipeline to determine the cause of the rupture. As you know, whether the rupture was caused primarily by stress corrosion brought on by unique soil conditions, or was precipitated by other more systemic factors, such as the age of the pipe, could have far-reaching implications.

Because it is so important that we get this right, and because Arizonans deserve to know that an independent analysis of the matter has been conducted, I urge you to allow us to pay for a test separate and apart from what has been presented by Kinder Morgan. If you so approve, but are concerned about federally funding the test, I will work to locate funding at the state level.

I would also be interested in any information you could provide regarding the company that has been hired by Kinder Morgan to test the pipeline, to include the name of the company, the credentials of the individuals conducting the test and any knowledge you have of previous tests conducted by that company.

Again, I'd like to take this opportunity to reiterate my thanks for the time you recently spent in Arizona. I was particularly impressed with the proposals you advanced for improving the communications policy surrounding our state's agency agreement with OPS. We all felt your visit was a constructive step forward and look forward to continued progress in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "K Mayes".

Kris Mayes
Arizona Corporation Commissioner